

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LOUIS BRANCH,

No. C 11-01977 SBA (PR)

Plaintiff,

**ORDER GRANTING EXTENSION OF
TIME FOR PLAINTIFF TO FILE PROOF
OF SERVICE OR TO SHOW CAUSE
WHY CLAIMS AGAINST UNSERVED
NAMED DEFENDANTS SHOULD
NOT BE DISMISSED**

v.

WARDEN AYERS, et al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983.


On September 16, 2011, the Court issued an "Order to Show Cause Why Claims Against Unserved Defendants Should Not Be Dismissed." The Court directed Plaintiff, who paid the filing fee in this matter, to either provide the Court with proof of service of the summons and complaint upon the named Defendants against whom he alleges his claims, or otherwise show cause why the complaint should not be dismissed without prejudice as to each unserved Defendant pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (Sept. 16, 2011 Order at 1-2.)

Plaintiff has filed a request for a ninety-day extension of time to show proof that he has served the named Defendants, or to show cause why the claims against the unserved named Defendants should not be dismissed from this action without prejudice. Having read and considered Plaintiff's request, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED. The time in which Plaintiff may either provide the Court with proof of service on the named Defendants, or show cause why the claims against the unserved named Defendants should not be dismissed from this action without prejudice, will be extended up to and including **January 16, 2012**. Failure to do so by the new deadline shall result in the dismissal of all claims against the unserved named Defendants without prejudice. This Order terminates Docket no. 5.

IT IS SO ORDERED.

DATED: 11/15/11


SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

5
6
7 LOUIS BRANCH,

Case Number: CV11-01977 SBA

8 Plaintiff,

CERTIFICATE OF SERVICE

9 v.

10 AYERS et al,

11 Defendant.
12 _____/

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
14 Court, Northern District of California.

15 That on November 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
18 located in the Clerk's office.

19 Louis Branch B-17786
20 Correctional Training Facility
P.O. Box 689
Soledad, CA 93960

21 Dated: November 18, 2011

22 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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